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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 WILLIAM R. CLAYTON, et al.,

11 Plaintiffs,

12 v.

13 AIR & LIQUID SYSTEMS
14 CORPORATION, et al.,

15 Defendants.

CASE NO. C18-0748JLR

ORDER DENYING MOTION
FOR EXPEDITED TRIAL

16 Before the court is Plaintiffs William R. Clayton and Jill D. Clayton's
17 (collectively, "Plaintiffs") motion for an expedited trial. (Mot. (Dkt. # 29).) Defendants
18 Warren Pumps LLC ("Warren Pumps") and Syd Carpenter Marine Contractor ("Syd
19 Carpenter") responded to the motion. (Warren Resp. (Dkt. # 33); Syd Resp. (Dkt. # 43).)

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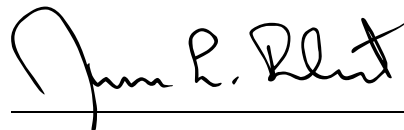
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1 The court has considered the motion, the responses to the motion, the relevant portions of
2 the record, and the applicable law. Being fully advised,¹ the court DENIES the motion.

3 On May 23, 2018, this case was removed from state court. (Not. of Removal (Dkt.
4 # 1).) Plaintiffs request an expedited trial to take place in December 2018, because Mr.
5 Clayton suffers from a terminal illness—mesothelioma—and the state court scheduled an
6 expedited trial due to his illness.² (Mot. at 3-4.) Plaintiffs acknowledge that the court
7 need not adopt the state court’s scheduling order, but nonetheless contend that Mr.
8 Clayton has a “right to a priority trial” pursuant to RCW 4.44.025. (*See id.* at 3-5.)

9 Although the court recognizes that Mr. Clayton’s illness may prevent him from
10 participating in a trial that does not occur relatively soon, Plaintiffs are incorrect that Mr.
11 Clayton is “entitled to a priority trial” in federal court. (*See id.* at 4.) Moreover, the
12 court’s current trial calendar cannot accommodate a December 2018 trial, particularly a
13 trial involving 12 defendants. Thus, the court DENIES Plaintiffs’ motion (Dkt. # 29) and
14 will enter its standard scheduling order.

15 Dated this 26th day of June, 2018.

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18 JAMES L. ROBART
19 United States District Judge

20 ¹ No party requests oral argument (*see* Mot. at 1; Warren Resp. at 1; Syd Resp. at 1), and
21 the court determines that oral argument would not be helpful to its disposition of the motion, *see*
Local Rules W.D. Wash. LCR 7(b)(4).

22 ² Warren Pumps and Syd Carpenter ask that the trial be set for January 2019 if the court
grants the motion to expedite. (*See* Warren Resp. at 1; Syd Resp. at 1.)